

REMARKS

This Amendment, submitted in response to the Office Action dated February 22, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-19 are pending in the present application.

I. Preliminary Matter

Applicant respectfully requests that the Examiner initial the PTO Form-1449 filed March 23, 2005.

II. Claim Rejections under 35 U.S.C. § 102

Claims 1 and 5 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Nishimura (JP 11-289317 A).

Claim 1

Nishimura does not disclose “the photodetector comprises a plurality of semiconductor light receiving devices, whose light receiving sensitivity wavelength regions are identical with one another” as recited in claim 1. Nishimura relates to optical transmission of data over an optical fiber using wavelength multiplexing of $\lambda_1 \dots \lambda_n$. Wavelength-multiplexed signal light is divided into different wavelength components by a wavelength filter, and the different wavelength components are received by respective, corresponding photo-diodes, which are different from each other in a photo diode array. Nishimura discloses at its receiving end, one

light receiving device as photodiode array 104 which inherently would respond to multiple different wavelengths in order to detect signal information. See [0005]-[0006].

However, as recited in for example, claim 1 of the present application, the light is received by the semiconductor light receiving devices which are sensitive to light in the same wavelength band. Therefore, Nishimura fails to teach or suggest the invention recited in claim 1 of the present application.

For at least the above reasons, claim 1 and its dependent claims should be deemed allowable.

Claim 5

Claim 5 recites that “the plurality of the semiconductor light receiving devices are formed on a single same base plate.” The Examiner has not particularly established where a plurality of the semiconductor light receiving devices are formed on a single same base plate is disclosed in Nishimura. For at least these reasons, claim 5 should be deemed allowable.

III. Claim Rejections under 35 U.S.C. § 103

Claims 3, 7, 9, 12 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura.

Claim 3

Claim 3 recites that the plurality of the semiconductor light receiving devices have a response band of at least 1 GHz. However, Nishimura discloses a much smaller response band.

Therefore, it would not be obvious to modify Nishimura to include a larger response band. This would result in a substantial modification of the principle of operation of Nishimura, evidencing that the Examiner's reasoning is merely a result of hindsight. Consequently, claim 3 should be deemed allowable.

Claim 7

Claim 7 recites that "each of the plurality of the semiconductor light receiving devices is connected to one of a plurality of independent amplifiers." The Examiner concedes that this aspect of the claim is not disclosed in Nishimura, however, the Examiner reasons that it is common practice to amplify the output of a photodetector to provide a strong output.

However, as discussed in the detailed description of Nishimura, a goal of Nishimura is to reduce the number of components in a wavelength multiplexing light system. Therefore, it is contrary to the goals of Nishimura to add further components. Clearly, the Examiner's reasoning is merely a result of hindsight. Consequently, claim 7 should be deemed allowable.

IV. Allowable Subject Matter

The Examiner has indicated that claims 2, 4, 6, 8, 10, 11, 13, 14 and 16 contain allowable subject matter and would be allowable if rewritten in independent form. At the present time, Applicant has not rewritten the allowed claims into independent form since Applicant believes the claims will be deemed allowable, without amendment, by virtue of their dependency to claim 1 for the reasons set forth above.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/603,078

Attorney Docket No.: Q76242

V. New Claims

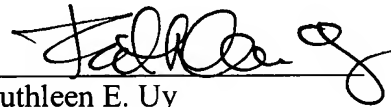
Applicant has added claims 17-19 to provide a more varied scope of protection. Claims 17-19 should be deemed allowable by virtue of their dependency to claim 1 for the reasons set forth above.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ruthleen E. Uy
Registration No. 51,361

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 15, 2005